

Whatcom County Scope of Work  
2003 – 2005 SMP Grant

**Project Title:**           **Shoreline Master Program Update**

**Description:**           The Recipient will complete an update of the Shoreline Master Program (SMP) that is developed and adopted in a manner consistent with the procedural and substantive requirements of the Shoreline Management Act and the Shoreline Master Program Guidelines (Guidelines). The SMP development process will include an inventory and analysis of shoreline ecological conditions and land use; development of goals, policies, environment designations, and use regulations; and a formal local adoption process. The Recipient will incorporate public participation in all phases of SMP development.

**Work Program:**       The Recipient shall perform the following tasks. Note: For any GIS work or environmental measurement data collected under this agreement, it is subject to paragraphs 2 through 6 of Special Terms and Conditions of this Agreement for compliance with Ecology standards.

**Task 1:**               **Coordination**

**1.1:**               **Coordination with Ecology:** The Recipient will coordinate throughout the SMP development process with Ecology and other applicable state agencies as provided in the Guidelines.

In its commitment to provide technical assistance throughout the SMP development process, Ecology will meet with the jurisdiction on a regular basis to present and discuss approaches to shoreline characterizations prior to initiation of inventory and analysis work. Ecology will provide ongoing technical assistance on data sources and approaches and will evaluate consistency of products with the Shoreline Management Act and applicable guidelines. The recipient shall provide Ecology opportunities for review of draft products at appropriate intervals. Washington State Department of Ecology staff participants will primarily include Barry Wenger, Peter Skowlund, Stephen Stanley, Tim Gates, Cinde Donahue and Susan Grigsby.

**1.2:**               **Inter-governmental / Inter-agency Working Group** - An inter-governmental / inter-agency working group will be developed to facilitate coordination with state agencies, tribes and local jurisdictions. The working group will meet monthly throughout the duration of the project to ensure effective collaboration, the representation of diverse perspectives and interests, and coordinate data and resource sharing. The working group will also help establish linkages with existing parallel planning processes such as WRIA 1 Watershed Planning, Salmon Recovery, Marine Resources Committees, flood management and stormwater management. Members of the working group will include representatives from the following governments and/or agencies:

- Lummi Nation – Jeremy Friedmund
- Nooksack Tribe – Robert Kelly
- City of Bellingham – Clare Folsong
- Small Cities Caucus – Russell Nelson
- Watershed Improvement Districts – George Boggs
- Shellfish Protection Districts – Geoff Menzies
- Washington State Department of Ecology – Barry Wenger
- Washington State Department of Fish and Wildlife – Brian Williams
- Washington State Department of Natural Resources – (to be determined)
- Washington State Department of Transportation – (to be determined)
- Army Corps of Engineers – Randall Perry
- Whatcom County Flood Division – Paula Cooper
- Whatcom County Water Resources Division – John Thompson
- Whatcom County Planning and Development Services – Jeff Chalfant

1.3:

Technical / Science Advisory Committee - A technical / science advisory committee will be developed to help provide oversight over the technical/ scientific elements of the Shoreline Management Program update. The technical /science advisory committee will meet monthly until the technical pieces have been completed and peer reviewed. It is anticipated that the technical/science advisory committee will provide guidance on development of the shoreline inventory and the characterization of ecosystem wide processes and shoreline functions, scientific information record, restoration plan, and shoreline designations. The following governments and/or agencies will be invited to participate on the technical/science advisory committee:

- Lummi Nation
- Nooksack Tribe
- City of Bellingham
- Watershed Improvement Districts
- Marine Resources Committee
- Washington State Department of Ecology
- Washington State Department of Fish and Wildlife
- Whatcom County Flood Division
- Whatcom County Water Resources Division
- Whatcom County Public Works
- Whatcom County Planning and Development Services

Washington State Department of Ecology will actively participate on the technical/science advisory committee. Ecology staff participants will primarily include Barry Wenger,

Stephen Stanley, Tim Gates, Cinde Donahue and Susan Grigsby.

- 1.4: Internal Coordination - In addition to the above listed groups a formal working group comprised of staff from Whatcom County Planning and Development Services will be developed to facilitate internal communication and coordination with respect to the Shoreline Management Program update. The working group will be comprised of various Planning and Development Services staff that will provide recommendations regarding policy development, integration with other regulatory mechanisms and technical issues. The working group will meet monthly throughout the duration of the project.

Deliverables: Semi-annual progress reports identifying progress by task and payment requests reflecting task accomplishments.

Digital and hard-copy drafts of work completed at regular intervals.

Dates Due: January 20, 2004, July 20, 2004, January 20, 2005, and July 20, 2005

Task 2: Public Information and Outreach

The Recipient shall inform and involve the public in updating the shoreline master program throughout the update effort consistent with the Shoreline Management Act (see RCW 90.58.130) and the SMP Guidelines. The recipient will prepare a public participation plan that identifies specific objectives, key parties (Planning Commission, public, property owners, state agencies, County, Tribes, neighboring jurisdictions, etc.), and establishes timelines for public participation activities.

- 2.1: Website - A website will be developed for the project to provide a forum for the public to obtain information regarding the Shoreline Management Program update and provide comments and input related to the project. The website will contain details related to the development of the Shoreline Management Program update including a list of contacts (local and state), an events calendar, meeting summaries, regulatory mandates (RCW and WAC), the current version of the Shoreline Management Program, fact sheets on key issues, the scope of work and a list of participating agencies. The website will be kept current and be maintained throughout the duration of the project.

- 2.2: Natural Resource Management Workshops / Open Houses - Natural resource management workshops will be developed as an early action strategy to improve voluntary landowner stewardship, as well as build public confidence and investment

in the Shoreline Management Program update process. The workshops will be held in key locations throughout the Whatcom County to provide opportunities for the community to obtain information regarding the importance of natural resource protection and management. The workshops will be a forum for citizen's to obtain information regarding natural resources and provide comments and input relating to the update of the Shoreline Management Program. The workshops will begin in January 2004 ending in July 2004.

Beginning January 2005 and ending in July 2005 county staff will develop a series of open houses to provide citizens opportunities to review and comment on completed technical information and policy related deliverables. Information received through this process will be utilized to further refine the proposed update to the Shoreline Management Program.

- 2.3: Citizens Advisory Committee (CAC) - In addition to the above listed public outreach and involvement strategies, a citizen's advisory committee will be created to help direct policy development. It is anticipated that the committee will be comprised of existing caucus's (Agriculture, Development, Environment, etc.) that have been created as a part of the Watershed Planning process under ESHB 2514 and representatives from key shoreline areas (Sandy Point, Birch Bay, Drayton Harbor, Lake Samish, Lake Whatcom, etc.). It is anticipated that committee will meet on a monthly basis from September 2004 through June 2005.

- Deliverables: Electronic copies submitted to Ecology's Project Officer
- Public Participation Plan – due - December 31, 2003
  - Summary report of workshop proceedings and issues encountered – due - 15 days following each workshop
  - CAC meeting minutes – due 15 days following each workshop

Task 3: Inventory and Map Shoreline Conditions

Whatcom County will complete/compile a countywide inventory of all shorelines of the state including shorelines within incorporated areas. The inventory work will be coordinated with other agencies and governments within Whatcom County and following completion of the project the inventory and characterization will be made available to all other agencies and governments within the county. The county will compile all pertinent and reasonably available data, plans, studies, inventories, and other applicable information. Existing reports,

information, aerial photos and GIS data will be thoroughly evaluated. Working inventory maps will be created at the appropriate scale for analysis (i.e. coarser resolution maps for adjacent lands/contributing drainage assessment, and finer resolution for the shoreline jurisdiction characterization).

3.1: Data Model Development and Coordination - A data model will be developed to specify minimum standards for shoreline inventory data to ensure that shoreline data terms and references are well known to data users. The following approach will be used to develop this standard:

- a) Review, document, and distribute existing data sets
- b) Conduct a needs and requirements survey of the potential user community (Federal, tribal, state, local government agencies, and private surveyors)
- c) Test and evaluate standard
- d) Refine draft standard for final execution.

This Standard is intended to serve local users who are involved with geospatial data activities that intersect shorelines of the state within Whatcom County. The purpose is to clarify (standardize) the complexities of shoreline data by developing a bibliography, and glossary, to conform to the FGDC metadata standard as required.

3.2: Data Acquisition and Development - The Recipient will collect the following information to the extent that such information is relevant, and reasonably obtainable:

- Shoreline and adjacent land use patterns and transportation and utility facilities, including the extent of existing structures, impervious surfaces, vegetation and shoreline modifications in shoreline jurisdiction.
- Critical areas, including wetlands, aquifer recharge areas, fish and wildlife conservation areas, geologically hazardous areas, frequently flooded areas, and shorelines of statewide significance.
- Degraded areas and sites with potential for ecological restoration.
- Areas of special interest, such as priority habitats, rapidly developing waterfronts, previously identified toxic or hazardous material clean-up sites, or eroding shorelines.
- Existing and potential shoreline public access sites, including public rights-of-way and utility corridors. The inventory will include descriptions of recorded public access easements, their prescribed use, maintenance and terms.
- General location of channel migration zones and floodplains.
- Historical aerial photographs documenting past conditions to assist in preparing an analysis of cumulative impacts of development.

- Archaeological or historic resources in shoreline jurisdiction
- Conditions and regulations in shoreland and adjacent areas that affect shorelines, such as surface water management and land use regulations.

3.3:

Analysis/ Characterization - The Recipient shall conduct an analysis of the information and data collected in Task 4 as it relates to development of an effective Shoreline Master Program that complies with the requirements of the SMP Guidelines. This analysis will: 1) characterize ecosystem wide processes; 2) characterize shoreline functions; 3) identify opportunities for protection, restoration, public access and shoreline use; and 4) address cumulative impacts.

Characterize ecosystem-wide processes – This characterization will include a coarse analysis of the broader area that influences the shoreline jurisdiction. It will include a narrative with reference to maps that describes and illustrates the processes in the larger drainage area that are linked to the shoreline through hydrologic flows. These processes include the uptake, transport and deposition of sediment, nutrients, woody debris and pollutants (including thermal). Specifically, this characterization will:

- Present the basic geographic context – geology, soils, topography, climate, vegetation and drainage patterns and a description of how this is relevant to the shoreline.
- Note location and nature of major land uses, e.g. dams, railroads, logging, mining and irrigation.
- Note location and nature of known pertinent regulatory activities, e.g. TMDL, ESA listings, contaminated sites.
- Identify opportunities for protection/restoration of upland and adjacent areas essential for maintaining shoreline form and function.

Characterize shoreline functions – This will be a more detailed analysis of the shoreline jurisdiction that includes a narrative with reference to maps. The shoreline will be separated into reaches based on land use and ecological processes (such as stream confluences, littoral drift cell boundaries). Functions will be described as they are associated with each shoreline reach. Specifically, this characterization will:

- Detail the physical, biological and land use components within the shoreline jurisdiction.
- Evaluate and assess shoreline ecological function based on current scientific understanding of the relationship between

the conditions of ecosystem-wide processes and conditions within shoreline jurisdiction.

- 3.4: Analysis Report and Map Portfolio - The Recipient shall prepare a report and map portfolio that analyzes the information and data collected in Task 3.2 as it relates to development of an effective Shoreline Master Program. The report will describe the primary physical and biological processes affecting adjacent lands and shoreline ecosystem function.

The report will present findings and recommendations in a way that is useful for making planning decisions. For example, significant features of the landscape and activities occurring in adjacent lands that affect ecosystem function will be clearly described. More detailed information on shoreline reaches will identify opportunities and constraints in: 1) protecting and restoring ecological function, 2) addressing the special requirements of shorelines of statewide significance, 3) providing public access, and 4) accommodating appropriate water-oriented uses. This will provide a foundation for establishing environment designations. The report should identify data gaps, focusing on information that would be useful to support plan development and implementation.

The recipient will prepare final synthesis maps at appropriate viewing scales that will inform the analysis report and illustrate findings. For example, the user will be introduced to the area with coarser resolution vicinity maps indicating jurisdictional boundaries, watershed boundaries and the County or City's shorelines under SMA jurisdiction. Maps at the adjacent lands/contributing drainage scale will present the significant geo-, hydro-, and ecologic features, and indicate areas most essential to maintaining shoreline form and function. Maps at the shoreline management reach scale will indicate applicable inventory features such as known presence of listed species, critical riparian or aquatic vegetation, existing land uses and shoreline modifications. Potential areas for shoreline use, public access, restoration and/or protection will be indicated. The portfolio will include a comprehensive list and map of public access to shorelines.

- 3.5: Peer Review – In order to ensure that the data collection is based on the best available information and that the methodologies associated with the analysis and characterization are based on defensible science, the inventory/characterization shall be reviewed by a combination of agency representatives with technical expertise and/or outside consultants to be selected by the Technical/Science

Advisory Committee. Peer review shall be conducted in an iterative manner throughout the development of the inventory/characterization.

- 3.6: Present Inventory/Characterization to Planning Commission and Council - Upon completion the Inventory/Characterization will be presented to the Whatcom County Planning Commission and Council to help keep them informed of the progress of the Shoreline Management Program update and facilitate final adoption in a timely manner.

Deliverables: E-mail draft list of inventory data sources to Ecology Project Officer for review and comment. Submit hardcopies and digital working maps of inventory information displayed at appropriate scale.

Date Due: February 28, 2004.

Task 4: Integration Strategy

The Recipient will conduct a comprehensive review of existing environmental/natural resource management policies and regulations within Whatcom County and identify problems with and/or opportunities to provide for more consistency and coordination between programs, especially regarding SMA and GMA integration (ESHB 1933). The Recipient will create a matrix of policies and provisions of the county land use and development policies and regulations to facilitate an analysis of conflicting and/or duplicative regulations. A report will be prepared outlining recommended changes to the existing environmental/natural resource management regulations to better integrate and coordinate environmental policy, eliminate unnecessary duplicative regulation and create more consistency and certainty in implementation while maintaining maximum compliance with applicable federal, state and local mandates.

- 4.1: Identification of Gaps, Overlaps, and Inconsistencies – The Recipient will conduct a comprehensive review of existing environmental/natural resource management policies and regulations within Whatcom County and identify problems with and/or opportunities to provide for more consistency and coordination between programs. As a part of this task, the Recipient will conduct interviews with applicants for development permits to identify problems/conflicts with existing environmental and natural resource management policies and regulations within Whatcom County that cause confusion with respect to development, permitting and compliance / enforcement processes. The Recipient will also conduct internal interviews among Whatcom County staff to identify



problems with and/or opportunities to provide for more consistency and coordination between programs. The information gathered through the above processes will be used to create a matrix of policies and provisions of the county land use and development policies and regulations to facilitate an analysis of conflicting and/or duplicative regulations. The matrix will also outline areas where gaps exist between regulatory programs.

4.2: Development of Recommendations and Action Plan – A report will be prepared outlining recommended changes to the existing environmental/natural resource management regulations to better integrate and coordinate environmental policy, eliminate unnecessary duplicative regulation and create more consistency and certainty in implementation while maintaining maximum compliance with applicable federal, state and local mandates. This task will also include development of recommendations for development of regulations and/or policies needed to more effectively comply with federal, state and local environmental/natural resource management requirements. An action plan will be developed outlining a strategy for implementation of the integration recommendations.

4.4: Presentation of Findings to Planning Commission and Council - Upon completion the Integration Strategy will be presented to the Whatcom County Planning Commission and Council to help keep them informed of the progress of the Shoreline Management Program update and facilitate final adoption in a timely manner.

Deliverable: Draft and final digital copies and three hard copies of final integration analysis report.

Due Date: July 31, 2004

Task 5: Scientific Information

5.1: Research and Data Acquisition – An inventory of Scientific Information regarding the functions and values of shorelines will be prepared. Additionally, information will be assembled regarding the management and protection of shoreline resources. Sources of Scientific Information will include, but not be limited to, the WRIA Watershed Management Planning process, Salmon Recovery Planning, Lummi Nation, Nooksack Tribe, the Department of Ecology, the Department of Fish and Wildlife and the Whatcom County Marine Resources Committee. The Technical/Science Advisory Committee will

provide input and direction with respect to other sources for Scientific Information.

- 5.2: Prepare Report and Recommendations – A report will be prepared outlining the final Scientific Information Record including a set of recommendations for incorporating the information into the development of goals, policies and regulations for the 2005 Shoreline Management Program update.
- 5.3: Peer Review – In order to ensure that the data collection is based on the best available information and reflective of defensible science the Scientific Information Record shall be reviewed by a combination of agency representatives with technical expertise and/or outside consultants to be selected by the Technical/Science Advisory Committee. Peer review shall be conducted in an iterative manner throughout the development of the Scientific Information Record.
- 5.4: Presentation of Findings to Planning Commission and Council - Upon completion the Scientific Information Record will be presented to the Whatcom County Planning Commission and Council to help keep them informed of the progress of the Shoreline Management Program update and facilitate final adoption in a timely manner.

Deliverable: Draft and final digital copies and three hard copies of Scientific Information Record.

Due Date: December 2004

Task 6: Restoration Plan

- 6.1: Research Existing Restoration Efforts – Whatcom County will coordinate with the Technical/Science Advisory Committee and Inter-government/Inter-agency Working Group to identify and document existing restoration efforts that have been initiated by individual governments, agencies, and organizations. Additionally, restoration and enhancement efforts initiated by other parallel planning processes such as WRIA Watershed Management Planning, Salmon Recovery Planning and the MRC will be identified and documented. Identified restoration and enhancement efforts will be documented on a GIS map with a key to identify the type, size and age of the project.
- 6.2: Identify Priority Restoration Needs/Areas – Following identification of existing restoration efforts, Whatcom County will coordinate with the Technical/Science Advisory Committee and Inter-government/Inter-agency Working Group to identify priority restoration needs/areas.

6.3: Develop Restoration Plan – A restoration plan will be developed based on the completed shoreline inventory/characterization, and the Scientific Information Record. The plan will establish overall goals taking into account existing restoration efforts and the identified priority restoration areas. Current and ongoing programs that contribute to achieving these goals as well as additional projects necessary for success will be identified. In addition an implementation strategy including funding, timelines and benchmarks will be developed.

6.4: Presentation of Findings to Planning Commission and Council - Upon completion the Restoration Plan will be presented to the Whatcom County Planning Commission and Council to help keep them informed of the progress of the Shoreline Management Program update and facilitate final adoption in a timely manner.

Deliverable: One digital copy and three hard copies of restoration plan and implementation strategy.

Due Date: March 31, 2005

Task 7: Shoreline Designations

7.1: Evaluation – Whatcom County will coordinate with the Technical/Science Advisory Committee to evaluate existing shoreline environment designations as they relate to the completed Shoreline Inventory/Characterization, Scientific Information Record, and the Restoration Plan. The Technical/Science Advisory Committee will develop a set of recommendations based on the above evaluation.

7.2: Develop Shoreline Environment Designations - Whatcom County will develop environment designations that provide for compliance with the SMA and the SMP Guidelines based on the evaluation and recommendations of the Technical/Science Advisory Committee. Whatcom County will prepare a map illustrating recommended shoreline designations together with justification and rationale for the recommended designations.

7.3: Peer Review – In order to ensure that the development of the Shoreline Environment Designations is based on defensible science and coordinated with the Restoration Plan shall be reviewed by a combination of agency representatives with technical expertise and/or outside consultants to be selected by the Technical/Science Advisory Committee. Peer review shall

be conducted in an iterative manner throughout the development of the Shoreline Environment Designations.

- Deliverable: One digital copy and three hard copies of recommendations, rationale and draft map illustrating proposed shoreline environment designations.
- Due Date: June 30, 2005
- Task 8: Develop Shoreline Goals, Policies and Regulations
- 8.1: Compile CAC, TSAC and Staff Recommendations – Whatcom County staff will prepare a summary of policy recommendations derived from the Natural Resources Workshops/Open Houses, Website, Citizen's Advisory Committee, and Technical/Science Advisory Committee as well as internal recommendations from other Whatcom County staff.
- 8.2: Policy Development – Whatcom County staff will prepare shoreline goals, policies and regulations that comply with the Shoreline Management Act and the Shoreline Master Program Guidelines and incorporate the above recommendations.
- 8.3: CAC and Inter-government/Inter-agency Working Group Review - In order to ensure that the proposed goals, policies and regulations associated with the SMP update are representative of broad community goals and perspectives, based on the best available information and reflective of the Scientific Information Record the proposed goals, policies and regulations shall be reviewed by the CAC and the Inter-government/Inter-agency Working Group.
- Deliverables: One digital copy and three hard copies of draft SMP Goals & Policies to Ecology for review to adoption
- Due Date: June, 30 2005
- Task 9: Address cumulative impacts
- 9.1: Cumulative Impacts Analysis – Whatcom County will conduct an analysis of regarding the effect of incremental impacts on shoreline ecological functions resulting from uses and activities allowable under the proposed Shoreline Management Program. Cumulative impacts will be evaluated in accordance with the Guidelines as an ongoing part of development of proposals for policies, environment designations and other regulations.
- 9.2: Peer Review – In order to ensure that the Cumulative Impacts Analysis is reflective of the Scientific Information Record it shall

be reviewed by a combination of agency representatives with technical expertise and/or outside consultants to be selected by the Technical/Science Advisory Committee.

Deliverable: One digital copy on report on results of analysis, including supporting maps and/or graphics.

Due Date: July 31, 2005

Task 10: Adoption of Final SMP

Whatcom County will conduct a review and adoption process for the final draft SMP as provided in the SMA, WAC 173-26 and the State Environmental Policy Act. The county will continue coordination with the Washington State Department of Ecology, the Inter-government / Inter-agency Working Group and any other relevant agencies to provide opportunity for input and ensure that project proposals are consistent with agency's directives.

The recipient shall complete public review and the adoption process for the SMP amendment, and adoption by local elected body including but not limited to:

- Planning Commission Work Session
- Planning Commission Hearing
- Council Work Session
- Council Hearing

Deliverables: One digital copy and three hard copies (Microsoft Word format) of the adopted SMP including maps and diagrams, and any relevant supporting documentation.

Due Date: December 2005  
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